

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

SHEILA J. TURNER,

Plaintiff,

Case No. 05-60020
Hon. Marianne O. Battani

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION
AND DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AND
GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

Plaintiff Sheila J. Turner brings this action to challenge the final decision of the Commissioner denying her application for disability insurance benefits and Supplemental Security Income under Titles II and XVI of the Social Security Act. 42 U.S.C. §§ 416(i), 1381a. The case was referred to Magistrate Judge Mona K. Majzoub pursuant to 28 U.S.C. § 636(b)(1). Both parties filed dispositive motions, and in a Report and Recommendation ("R&R") dated January 27, 2006, Magistrate Judge Majzoub recommended that Plaintiff's Motion for Summary Judgment be denied and that Defendant's Motion for Summary Judgment be granted.

In the Report and Recommendation, the Magistrate Judge informed the parties that objections to the R&R needed to be filed "within ten (10) days of service" and that a party's failure to file objections would waive any further right of appeal. Neither party filed an objection.

Because no objection has been filed in this case, the parties waived their right to *de novo* review and appeal. Accordingly, the Court ADOPTS the Magistrate Judge's recommendation and

AFFIRMS the denial of benefits to Plaintiff. Defendant's Motion for Summary Judgment is GRANTED, and Plaintiff's Motion for Summary Judgment is DENIED.

IT IS SO ORDERED.

s/Marianne O. Battani
MARIANNE O. BATTANI
UNITED STATES DISTRICT JUDGE

DATE: March 1, 2006

CERTIFICATE OF SERVICE

Copies of this Opinion and Order were served upon Howard J. Slusky and James A. Brunson on this date by ordinary mail and/or electronic filing.

s/Bernadette M. Thebolt
Case Manager